

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LINDA A. HOLLAND,

Plaintiff,

vs.

COMMISSIONER of SOCIAL  
SECURITY,

Defendant.

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Civil No. 19-cv-1156-MAB<sup>1</sup>

MEMORANDUM AND ORDER

BEATTY, Magistrate Judge:

Before the Court is the parties' Agreed Motion to Remand to the Commissioner.  
(Doc. 22).

The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of Plaintiff. *Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, "the ALJ will: (1) provide the claimant with the opportunity for a new hearing; (2) take any further action necessary to complete the

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<sup>1</sup> This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. §636(c). See, Docs. 8, 16.

administrative record; (3) reconsider the opinion evidence regarding claimant's physical limitations, and explain the weight given to each opinion; (4) reevaluate claimant's subjective symptoms; and (4)[sic] issue a new decision."

For good cause shown, the parties' Agreed Motion to Remand to the Commissioner (**Doc. 22**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying Plaintiff's application for social security disability benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk of Court is directed to enter judgment in favor of Plaintiff.

**IT IS SO ORDERED.**

**DATED: August 14, 2020**

/s/ Mark A. Beatty  
**MARK A. BEATTY**  
**United States Magistrate Judge**